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1761

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |                        |                  |
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| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number     | 10/536,713       |
|   | Filing Date            | April 3, 2006    |
|   | First Named Inventor   | Cecile VEERMAN   |
|   | Art Unit               | 1761             |
|   | Examiner Name          | Not Yet Assigned |
| Total Number of Pages in This Submission  | Attorney Docket Number | 0470-051644      |

**ENCLOSURES (Check all that apply)**

|  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Reply/Amendment<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Documents<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawings<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition for Extension of Time<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below)<br>PTO/SB/08 |
| <b>Remarks</b>   |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |                         |  |  |
|-------------------------|-------------------------|--|--|
| Firm or Individual name | William H. Logsdon      |  |  |
|                         | Registration No. 51,027 |  |  |
| Signature               |                         |  |  |
| Date                    | April 17, 2007          |  |  |

**CERTIFICATE OF TRANSMISSION/MAILING**

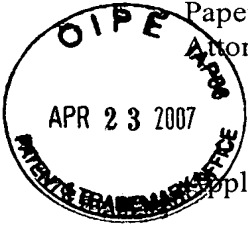
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| Typed or printed name | Judy Eberle |      |                |
| Signature             |             | Date | April 17, 2007 |

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Application No. 10/536,713  
Paper dated April 17, 2007  
Attorney Docket No. 0470-051644



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/536,713  
Applicants : Cecile VEERMAN et al.  
Filed : April 3, 2006  
Title : METHOD FOR IMPROVING THE FUNCTIONAL  
PROPERTIES OF A GLOBULAR PROTEIN, PROTEIN THUS  
PREPARED, USE THEREOF AND PRODUCTS CONTAINING  
THE PROTEIN  
Group Art Unit : 1761  
Examiner : Not Yet Assigned  
Confirmation No. : 2876  
Customer No. : 28289

MAIL STOP AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby submit this Information Disclosure Statement together with a completed Form PTO/SB/08a and a copy of the foreign patent documents and non-patent literature article listed thereon. The cited U.S. patents are not enclosed pursuant to the waiver of the requirement under 37 C.F.R. §1.98(a)(2)(i) for U.S. national patent applications filed after June 30, 2003.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below.

Judy Eberle

(Name of Person Mailing Paper or Fee)

*Judy Eberle*  
Signature

04/17/2007  
Date

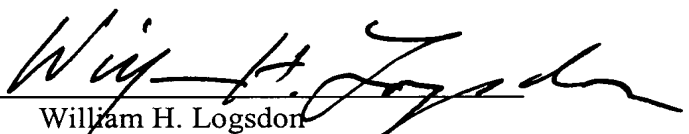
Application No. 10/536,713  
Paper dated April 17, 2007  
Attorney Docket No. 0470-051644

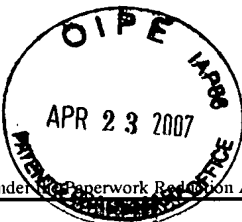
This application is the United States national phase of PCT Application No. PCT/EP03/13678. The February 7, 2006 Notice of Acceptance of Application under 35 U.S.C. §371 and 37 C.F.R. §1.494 or §1.495 indicates that a copy of the International Search Report (ISR) and the International Preliminary Examination Report (IPER) in the underlying PCT application have already been received by the United States Patent and Trademark Office. Therefore, copies of these documents are not included herewith. The ISR dated June 2, 2004 for the underlying PCT Application identified the references listed on Form PTO/SB/08a and the relevance of these references are identified therein.

Pursuant to 37 C.F.R. §1.97(b)3, no fee is believed to be due for the submission of this Information Disclosure Statement, as it is being submitted before the mailing date of a first Office Action on the merits. Nevertheless, the Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/536,713       |
| Filing Date            | April 3, 2006    |
| First Named Inventor   | Cecile VEERMAN   |
| Art Unit               | 1761             |
| Examiner Name          | Not Yet Assigned |
| Attorney Docket Number | 0470-051644      |

Sheet 1 of 2

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|--|
|                       |                          | Number - Kind Code <sup>2</sup> (if known) |                                |  |  |
|                       | 1.                       | US- 5,437,885                              | 08/01/1995                     | Lusas et al.                                       |  |
|                       | 2.                       | US 5,455,331                               | 10/03/1995                     | Pearce   |  |
|                       | 3.                       | US- 5,480,973                              | 01/02/1996                     | Goodlad et al.                                     |  |
|                       |                          | US-  |                                |  |  |
|                       |                          | US-  |                                |  |  |
|                       |                          | US-  |                                |  |  |
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**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|---|--------------------------------|--|---|----------------|
|                       |                          | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) |                                |  |   |                |
|                       | 4.                       | DD 142144   | 06/11/80                       | Kummer et al.                                      |   |                |
|                       | 5.                       | EP 0 604 684  | 07/06/94                       | deWit et al.                                       |   |                |
|                       | 6.                       | EP 1 129 626  | 09/05/01                       | Altemueller et al.                                 |   |                |
|                       | 7.                       | WO 93/00832   | 01/21/93                       | Pearce et al.                                      |   |                |
|                       | 8.                       | WO 98/31240   | 07/23/98                       | Guerrero et al.                                    |   |                |
|                       | 9.                       | WO 02/49442   | 06/27/02                       | Campbell   |   |                |
|                       | 10.                      | WO 02/067689  | 09/06/02                       | Vaslin et al.                                      |   |                |

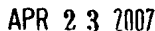
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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**Complete if Known**

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/536,713       |
| Filing Date            | May 27, 2005     |
| First Named Inventor   | Cecile VEERMAN   |
| Art Unit               | Not Yet Assigned |
| Examiner Name          | Not Yet Assigned |
| Attorney Docket Number | 0470-051644      |

## NON PATENT LITERATURE DOCUMENTS

Examiner  
Initials\*Cite  
No. 1

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

 $T^2$ 

11. S.P. LEE et al., Reducing Whey Syneresis in Yogurt by the Addition of a Thermolabile Variant of  $\beta$ -Lactoglobulin, *Bioscience, Biotechnology, and Biochemistry*, (Feb., 1994), p. 309-313, Vol. 58, No. 2.

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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